

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Amy L. Newsome,	)	
	)	
Plaintiff,	)	Case No: 2:19-cv-01167-DCN
vs.	)	
GCA Services Group, Inc., and ABM	)	<b>DEFENDANTS' MOTION FOR</b>
Industry Groups, LLC d/b/a ABM	)	<b>SUMMARY JUDGMENT</b>
Industries Incorporated,	)	
	)	
Defendants.	)	
	)	

---

To: JASON A. DAIGLE, ESQUIRE, COUNSEL FOR PLAINTIFF:

YOU WILL PLEASE TAKE NOTICE that the Defendants GCA Services Group, Inc. (hereinafter “GCA”) and ABM Industry Groups, LLC d/b/a ABM Industries Incorporated (“ABM”) (collectively “Defendants”), hereby move this Court for an order granting summary judgment in favor of Defendants in the above-captioned matter upon the grounds that there exists no genuine issue as to any material fact and that Defendants are entitled to judgment as a matter of law in their favor. Summary judgment is appropriate where it is clear that there is no genuine issue of material fact and that the moving party is entitled to a judgment as a matter of law. See Rule 56, Fed. R. Civ. P.

In the instant premises liability matter, Plaintiff Amy L. Newsome alleges she slipped and fell at Pepperhill Elementary School on or about March 15, 2016. Defendants’ Motion is based on the following grounds:

- (1) There is no evidence that any dangerous or defective condition existed on the premises of which Defendants created or had knowledge; or
- (2) Alternatively, assuming arguendo a dangerous or defective condition existed, Defendants adequately discharged their duty to warn Plaintiff of the same.

This motion is based upon the pleadings, the affidavits attached hereto or which will be served prior to the hearing, memorandum of law in support of this motion and attachments thereto, Rule 56 of the Federal Rules of Civil Procedure, and any such additional law and argument as shall be appropriate.

Defendants respectfully request arguments on this Motion. Defendants reserve the right to amend this motion prior to argument and disposition of the motion. Further, Defendants reserve the right to supplement its arguments by a written memorandum of law, affidavits, and other materials permitted under Rule 56, Fed. R. Civ. P.

Respectfully submitted,

COLLINS & LACY, P.C.

By: s/Claude T. Prevost, III  
Claude T. Prevost, III, Esquire  
Federal I.D. #: 10438  
cprevost@collinsandlacy.com  
Charles A. Kinney, Esquire  
Federal I.D. #: 10580  
ckinney@collinsandlacy.com  
Post Office Box 12487  
Columbia, SC 29211  
803.256.2660 (voice)  
803.771.4484 (fax)

ATTORNEYS FOR ABM INDUSTRY  
GROUPS, LLC d/b/a ABM INDUSTRIES  
INCORPORATED

**DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

Columbia, South Carolina  
January 20, 2021